

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

PIERRE A. RENOIR
also known as Stones,

Plaintiff,

v.

Case No. 08-C-333

**WILLIE G. DAVIDSON, MICHAEL KEEFE,
HARLEY-DAVIDSON MOTOR COMPANY, INC.
and HARLEY OWNERS GROUP,**

Defendants,

ORDER

On April 21, 2008, plaintiff Pierre A. Renoir, who is incarcerated at the Wallens Ridge State Prison in Big Stone Gap, Virginia, filed a complaint in which he seeks to certify a class action of all male Harley Owners Group members. He subsequently filed a motion for leave to proceed in forma pauperis. On July 25, 2008, I denied plaintiff's motion for leave to proceed in forma pauperis because he had acquired three "strikes" pursuant to 28 U.S.C. § 1915(g), and the complaint did not allege that plaintiff was under imminent danger of serious physical injury at the hands of defendants.¹ Furthermore, I ordered that this action would be dismissed unless plaintiff paid the full filing fee of \$350.00 within fourteen days.

¹ Under the Prison Litigation Reform Act of 1996, a prisoner may not bring a civil action or appeal a civil judgment in forma pauperis,

if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g).

Plaintiff has not paid the filing fee and therefore this action will be dismissed. Plaintiff is advised that 28 U.S.C. § 1915(g) applies to him. Thus, if he files another complaint and petition for leave to proceed in forma pauperis, he may be subject to an order under Support Sys. Int'l, Inc. v. Mack, 45 F.3d 185 (7th Cir. 1985). An order under Mack requires the Clerk of Court to return civil complaints and related pleadings unfiled, without even presenting them to judges, until plaintiff's debt to the judicial system has been paid. Id. at 186.

For the foregoing reasons,

IT IS THEREFORE ORDERED that the Clerk of Court enter judgment dismissing plaintiff's claims and this action for failure to pay the filing fee.

IT IS FURTHER ORDERED that plaintiff's motion to appoint counsel (Docket #3) is **DENIED AS MOOT.**

IT IS FURTHER ORDERED that plaintiff's motion for class certification (Docket #4) is **DENIED AS MOOT.**

IT IS FURTHER ORDERED that plaintiff's motion to compel discovery (Docket #5) is **DENIED AS MOOT.**

IT IS FURTHER ORDERED that plaintiff's motion for court order (Docket #6) is **DENIED AS MOOT.**

IT IS FURTHER ORDERED that plaintiff's motion for polygraph (Docket #7) is **DENIED AS MOOT.**

IT IS FURTHER ORDERED that plaintiff's motion to amend relief (Docket #10) is **DENIED AS MOOT.**

IT IS FURTHER ORDERED that plaintiff's motion for court protection (Docket #20) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that plaintiff's motion to correct errors (Docket #21) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that plaintiff's motion for transfer (Docket #24) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that plaintiff's motion for order (Docket #27) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that plaintiff's motion for judgment (Docket #30) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that plaintiff's motion for order (Docket #32) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that plaintiff's motion for judgment (Docket #35) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that plaintiff's motion to correct errors (Docket #43) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that the Trust Officer at the Wallens Ridge State Prison shall collect from plaintiff's prison trust account the \$350.00 filing fee by collecting monthly payments from plaintiff's prison trust account in an amount equal to 20% of the preceding month's income credited to the prisoner's trust account and forwarding payments to the Clerk of Court each time the amount in the account exceeds \$10 in accordance with 28

U.S.C. § 1915(b)(2). The payments shall be clearly identified by the case name and number assigned to this action.

IT IS FURTHER ORDERED that copies of this order be sent to the Trust Officer at Wallens Ridge State Prison, P.O. Box 759, Big Stone Gap, Virginia, 24219, and to Corey F. Finkelmeyer, Assistant Attorney General, Wisconsin Department of Justice, P.O. Box 7857, Madison, Wisconsin, 53707-7857.

Dated at Milwaukee, Wisconsin, this 24 day of October, 2008.

/s _____
LYNN ADELMAN
District Judge